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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

ENOCH ADAMS, JR., LEROY ADAMS,)	
ANDREW KOENIG, JERRY NORTON,)	
DAVID SWAN, JOSEPH SWAN,)	
Plaintiffs,)	
)	
vs.)	
)	
TECK COMINCO ALASKA)	
INCORPORATED,)	
Defendant,)	
)	
NANA REGIONAL CORPORATION, and)	
NORTHWEST ARCTIC BOROUGH,)	
Intervenor-Defendants.)	Case No.: A04-00049 CV (JWS)
)	

MOTION FOR LEAVE TO FILE LATE

Teck Cominco asks that the court accept the late filing of Teck Cominco and NANA's opposition to the Docket 210 Motion to strike expert testimony. The opposition was timely prepared and Teck Cominco believed that it had been timely filed. The apparent omission was not discovered until today, when the undersigned read the plaintiffs "reply" asserting that no opposition was filed. Teck Cominco is checking to see if the document was mistakenly filed in some other case or if the attempted filing did not work for some

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other reason, but at this time has no explanation for why the Opposition does not appear in the court's docket for this case. In light of the fact that trial is still months away, there is no prejudice to the plaintiffs from allowing the Opposition to be filed late, and Teck Cominco requests that the court accept it accordingly.

DATED at Anchorage, Alaska, this 29th day of February, 2008.

HARTIG RHODES HOGE & LEKISCH, P.C.
Attorneys for Teck Cominco Alaska, Inc.

By: /s/ Sean Halloran
Sean Halloran

CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of February, 2008,
a true and correct copy of the foregoing was served,
via electronic service, on the below identified parties of
record:

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Center on Race, Poverty, & the Environment
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/s/ Sean Halloran
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